

United States District Court
Eastern District of California

Nyles Lawayne Watson,

Plaintiff,

vs.

State of California, et al.,

Defendants.

No. Civ. S 02-1777 DFL PAN P

Order

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August 17, 2005, the court ordered plaintiff to show cause why claims against defendant Johnson should not be dismissed for plaintiff's failure to serve process. See Fed. R. Civ. P. 4(m). Plaintiff responded August 23, 2005, and the order to show cause is discharged.

It appears to the court claims against defendant Johnson should be dismissed for failure to state a claim.

Accordingly, plaintiff shall show cause, within 10 days of service of this order, why claims against defendant Johnson

1 should not be dismissed for failure to state a claim, pursuant to
2 the analysis set forth by the court in its August 12, 2005,
3 findings and recommendations that summary judgment be entered for
4 defendants Wai, Pliler and Kofoed.

5 So ordered.

6 Dated: September 13, 2005.

7 /s/ Peter A. Nowinski
8 PETER A. NOWINSKI
9 Magistrate Judge
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